

INSTALLATIONS

**VENDING
FACILITY
PROGRAM FOR
THE BLIND ON
FEDERAL
PROPERTY**

Headquarters
Department of the Army
Washington, DC
1 January 1979

UNCLASSIFIED

SUMMARY of CHANGE

AR 210-25

VENDING FACILITY PROGRAM FOR THE BLIND ON FEDERAL PROPERTY

This is a new regulation. It--

- o implements DoD Directive 1125.3, Vending Facility Program for the blind on Federal property.

INSTALLATIONS

VENDING FACILITY PROGRAM FOR THE BLIND ON FEDERAL PROPERTY

By Order of the Secretary of the Army:

BERNARD W. ROGERS
General, United States Army
Chief of Staff

Official:

J. C. PENNINGTON
Brigadier General, United States Army
The Adjutant General

History. This publication has been organized to make it compatible with the Army electronic publishing database. No content has been changed.

Summary. This regulation implements the policies and procedures for the vending facility program for the blind on Federal property.

Applicability. The provisions of this regulation apply to all Department of the Army activities in the 50 States, the District of Columbia, Puerto Rico, American Samoa, Guam, and the Virgin Islands and the US Army Reserve. This regulation does not apply to installations and activities, or portions thereof, which have been licensed or transferred to the States, to the Commonwealth of Puerto Rico, or to the Territory of the Virgin Islands for use by the National Guard.

Proponent and exception authority. The proponent agency of this regulation is The Adjutant General Center.

Army management control process. Not applicable.

Supplementation. Local supplementation of this regulation is prohibited except upon approval of HQDA (DAAG-TCP-MF).

Interim changes. Users of this regulation will not implement interim changes

unless the change document has been authenticated by The Adjutant General. (Interim changes expire 1 year after publication date.) If a formal printed change is not received by the time the interim change expires, users will destroy the interim change.

Suggested Improvements. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) direct to HQDA(DAAG-TCP-MF) WASH DC 20314.

Distribution. To be distributed in accordance with DA Form 12-9A, requirements for AR, Installations.

Active Army: C
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Reproducible Forms

1. Purpose.

This regulation implements the policies and procedures for the vending facility program for the blind on Federal property.

2. Applicability.

a. The provisions of this regulation apply to all Department of the Army activities in the 50 States, the District of Columbia, Puerto Rico, American Samoa, Guam, and the Virgin Islands and the US Army Reserve. This regulation does not apply to installations and activities, or portions thereof, which have been licensed or transferred to the States, to the Commonwealth of Puerto Rico, or to the Territory of the Virgin Islands for use by the National Guard.

b. The word "he" when used in this regulation represents both the masculine and feminine genders, unless otherwise stated.

3. Policy.

In implementation of the Randolph-Sheppard Act, priority on DOD controlled property will be extended to the blind as follows:

- a.* The blind will be given a priority in establishment and operation of vending facilities.
- b.* The blind will be given a priority award of contracts to operate cafeterias.
- c.* In conjunction with acquisition or substantial alteration or renovation of property, satisfactory sites will be provided for operation of blind vending facilities.
- d.* Certain income from vending machines operated on Army installations either directly or by contract will be given to State licensing agencies.

4. Responsibilities.

- a.* The Secretary of the Army (SA) will—
 - (1) Approve/disapprove State licensing agency applications for permits and the provision of satisfactory sites.
 - (2) Consult with the on-site official on determinations that granting a priority to the blind would be adverse to the interests of the United States and on termination of contracts to operate a cafeteria.
 - (3) Where circumstances warrant, suspend or terminate a permit to operate a vending facility.
- b.* The Adjutant General or his designated representative is delegated approval authority for approving State licensing agency applications for permits and the provision of satisfactory sites. The SA retains disapproval authority. Application for permits and requests for satisfactory sites affecting activities of the Army and Air Force Civilian Welfare Fund (AAFCWF) or the Army and Air Force Exchange Service (AAFES) where those activities will be affected by either reduction of sales, loss of patronage or facilities, additional competition, etc., will be coordinated with AAFCWF and AAFES, as appropriate, prior to final action by The Adjutant General.
- c.* The installation commander is designated the onsite official. As the onsite official, he will be the point of contact with State licensing agencies and will:
 - (1) Consult with State licensing agencies on articles and services to be provided.
 - (2) Determine, when appropriate, that granting a priority to the blind would be adverse to the interests of the United States and justify this determination through the Secretary of the Army to the Secretary, Department of Health, Education, and Welfare.
 - (3) Notify State licensing agencies of acquisition or substantial alteration or renovation of property;
 - (4) Ensure that operators are in fact State licensed blind persons and that sighted employees and assistants are utilized only to the extent reasonably necessary; and
 - (5) Negotiate with State licensing agencies on other matters indicated in paragraph 5.

Installation commanders will designate a single point of contact on their DCSPER/DPCA/G-1 staff who will coordinate and monitor all actions, including the provision of satisfactory sites, resulting from implementation of this regulation on Army installations.

d. With respect to the provision of satisfactory sites in Army acquired or substantially altered or renovated buildings, specific instructions necessary to ensure that such sites are included in the beginning process for construction or renovation will be published by the Chief of Engineers, Department of the Army.

5. Requirements and operating procedures.

a. The blind have a priority right to operate vending facilities on Army-controlled property when the opportunity to operate them becomes available. The priority extended allows blind licensees to be gainfully employed. While primary responsibility for carrying out this intent falls upon the State licensing agency, it is nevertheless a responsibility of the onsite official to ensure that the operator is in fact a State licensed blind person and that sighted employees or assistants are utilized only to the extent reasonably necessary.

(1) This priority will not be accorded when the onsite official determines, after conferring with HQDA(DAAG-TCP-MF), that the interests of the United States would be adversely affected if the priority were accorded.

(2) Any determination that according the priority would be adverse to interests of the United States must be fully justified in writing through the Secretary of the Army (who will consult with the Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics) (ASD (MRA&L))). The justification then will be sent to the Secretary, Department of Health, Education, and Welfare (HEW), who has authority to determine whether the failure to accord the priority is justified by the circumstances. This determination by the Secretary, HEW, must be published in the Federal Register and is binding upon the Army.

(3) Applications for permits by the State licensing agency to operate vending facilities (except cafeterias) on Army controlled property must be submitted in writing, through the onsite official, to HQDA(DAAG-TCP-MF) WASH DC 20314. When an application is not approved, HQDA will advise the State licensing agency in writing and will indicate the reasons for the disapproval. When issued, permits will describe the location of the vending facility and will be subject to the following requirements:

(a) The permit will be issued in the name of the State licensing agency.

(b) The permit will be issued for an indefinite period of time subject to suspension or termination upon failure to comply with agreed upon terms; and subject to termination by either party upon 60 days written notice to the other party in cases of inactivation of the installation or activity, loss of use of a building or other facility housing the vending facility, change in the Army's requirements for service, or inability of the State licensing agency to continue to operate the vending facility.

(c) The permit will provide that:

1. No charge will be made by the Army to the State licensing agency for normal repair and maintenance of the building, or for cleaning areas adjacent to the designated vending facility boundaries, or for trash removal from a designated collection point.

2. The State licensing agency will be responsible for cleaning and maintaining the appearance of and for the security of the vending facility within the designated boundaries of such facility, and for all costs of every kind in conjunction with vending facility equipment, merchandise, and other products to be sold, except as provided in 5 below. Neither party will be responsible for loss or damage to the other's property, unless proximately caused by its acts or omissions. The State licensing agency will also be responsible for the acts or omissions of the blind vendor and his employees or agents.

3. Articles sold at such vending facilities may consist of newspapers, periodicals, publications, confections, tobacco products, foods, beverages, chances for any lottery authorized by State law and conducted by an agency of a State within such State, and other articles or services traditionally found in blind operated vending facilities operated under the Randolph-Sheppard Act as determined by the State licensing agency in consultation with the onsite official, to be suitable for a particular location (articles and services may be dispensed automatically or manually). The special items on which there has been consultation should be listed to avoid any later misunderstanding or confusion.

4. Vending facilities will be operated in compliance with applicable health, sanitation and building codes, ordinances, and regulations;

5. Installation, modification, relocation, removal, and renovation of vending facilities will be subject to the prior approval of the onsite official and the State licensing agency. Costs of installation, modification, removal, relocation, or renovation will be paid by the initiating party. In any case of suspension or termination of a permit to operate a vending facility on the basis of noncompliance by either party, the costs of removal from the building will be borne by the noncomplying party.

6. The permit will also contain appropriate requirements for reimbursement of direct payment for support services such as utilities and telephone service.

7. In the event the blind licensee fails to provide satisfactory service or otherwise fails to comply with the requirements of the permit issued to the State licensing agency, the onsite official will, after coordinating with HQDA, notify the State licensing agency of this deficiency in writing and request corrective action within a specified reasonable time. The notice will indicate that failure to correct the deficiency will result in temporary suspension or termination of the permit, as appropriate. Suspension or termination action will be taken by the Secretary of the Army after consultation with the ASD(MRA&L).

b. The blind have a priority right to operate cafeterias on DOD-controlled property, as set out in (1) or (2), below, when the cafeteria operation involved is contracted.

(1) Procuring activity solicitations, when issued, will establish basic requirements and the criteria for judging proposals. One copy of each solicitation will be provided to the State licensing agency for the blind. The criteria upon which proposals will be evaluated may include factors such as sanitation practices, personnel, staffing, menu pricing and portion sizes, variety, budget and accounting practices, fees, and other relevant considerations.

(a) If the State licensing agency submits a proposal and it is not within the competitive range established by the contracting officer, award may be made to another offeror following normal procurement procedures, but only after the onsite official confers with HQDA.

(b) If the State licensing agency submits a proposal and it is within the competitive range established by the contracting officer, the contract will be awarded to the State licensing agency except as provided in (c) below.

(c) The contracting officer may award to other than the State licensing agency when the onsite official determines

that award to the State licensing agency would adversely affect the interests of the United States and the Secretary, HEW, approves the determination (processing will be in accordance with a(2) above), or when the onsite official determines, after conferring with the HQDA and the secretary, HEW agrees, that the blind vendor does not have the capacity to operate a cafeteria in such a manner as to provide food service at a comparable cost and of comparable high quality as that available from other providers of cafeteria services.

(2) Direct negotiations may be undertaken with State licensing agencies whenever the onsite official, with concurrence of the HQDA, has determined that the State licensing agency, through its blind licensee, can provide the cafeteria services required at a reasonable cost, with food of a high quality comparable to that available from other providers of cafeteria services. In the event direct negotiations fail to result in a contract with the State licensing agency, the procedures prescribed in b(1) above, will be followed.

(3) The operation of a cafeteria by a blind vendor will be governed by contractual agreement, not by a permit. Normal contract administration procedures will apply, except that termination actions will not be taken without prior coordination with HQDA.

(4) All contracts for the operation of cafeterias on Army controlled property with other than State licensing agencies will, upon expiration, be processed under the above paragraphs unless the State licensing agency informs the onsite official that it is not prepared to exercise its priority at that time.

c. Appendix C contains a sample of the permit form (fig. C-1) which has been designed by the Department of Health, Education, and Welfare. Other terms and conditions to be included in all such permits appears at figure C-2. These samples will be used by installation commanders without change, except that:

(1) The variable information indicated on the sample permit will be executed locally.

(2) Appendix C prescribed by the permit will include, in addition a listing of the types of articles and services to be offered, a detailed by item listing of specific articles and services. The purpose of this detailed listing is to prevent any misunderstandings subsequent to initial permit execution. The detailed listing may be amended at any time by the State licensing agency, provided such amendments do not involve the addition of specific articles and services which are not included in the listing of the general types of articles and services which may be offered.

d. Any Army acquired (purchased, rented, leased, constructed), or substantially altered or renovated building is required to have one or more satisfactory sites (as defined in app A) for a blind-operated vending facility, except as provided in paragraph (1) below.

(1) The obligation to provide satisfactory sites for blind operated vending facilities applies to:

(a) Buildings occupied by 100 or more Federal employees. Satisfactory sites are required to be provided when there will be an average of 100 or more Federal employees working in the building during normal working hours. The computation will be made by adding the number of employees scheduled to work on each workday of a payroll period and dividing the total by the number of workdays in the payroll period. Days on which only janitorial or maintenance personnel are present will not be counted as workdays. (See the sample computation at app D.)

(b) Buildings of 15,000 square feet or more which provide service to the general public. The 15,000 square feet criterion does not apply to Army facilities restricted to specifically authorized patrons or personnel.

(2) The following procedures will apply in correspondence involving the provision of satisfactory sites. When satisfactory sites are required in accordance with b above, commanders will send a letter of notification to the appropriate State licensing agency (see app B for address). The letter, in the format prescribed by appendix F, will be sent by certified or registered mail, return receipt requested. One information copy will be sent to HQDA(DAAG-TCP-MF) and one complete copy to the appropriate Department of Health, Education, and Welfare Regional Office. (See app E for address.) If the agency does not respond to the notification within 30 days of receipt, declines without explanation to establish and operate a vending facility, or declines indicating there are or will be insufficient personnel to support a blind-operated vending facility, the HEW Regional Office will also be notified, using the sample letters at appendix G or H, as appropriate. A copy of the notification on to the HEW Regional Office, together with a copy of the response from the State licensing agency will be furnished promptly to HQDA(DAAG-TCP-MF). Similar distribution will be made of any positive response from the State licensing agency, indicating their intention to establish and operate a vending facility. If the State licensing agency replies that it does not desire to establish and operate a vending facility and indicates any specific reason other than the insufficiency of the number of persons to support a vending facility, or if the HEW Regional Office, in response to notification (app G or H) so directs, then a satisfactory site will be incorporated in the construction/renovation plans.

(3) The provisions of (1) above do not preclude arrangements under which vending facilities to be operated by blind vendors may be established in buildings of a size or with an employee population less than that specified. For example, if a building is to be constructed which would contain only 80 Federal employees, upon agreement of the onsite official and the State licensing agency, the Army may determine to provide a satisfactory site in which the blind have agreed to operate a vending facility.

(4) When the Army is leasing all or part of a privately owned building in which the lessor or any of its tenants have an existing restaurant or other food facility in a part of the building not covered by the lease, and operation of a vending facility would be in substantial direct competition with such restaurant or other food operation, the requirement to provide a satisfactory site does not apply.

e. Effective January 2, 1975, vending machine income generated by the Army will be shared with State licensing agencies for the blind and for the collection of, and accounting for, such vending machine income (as defined in app A) and for otherwise ensuring compliance with the requirements of this paragraph.

(1) The vending machine income-sharing requirements are as follows:

(a) One hundred percent of the vending machine income from vending machines in direct competition with blind-operated vending facilities will be provided the State licensing agency.

(b) Fifty percent of the vending machine income from vending machines not in direct competition with blind-operated vending facilities will be provided the State licensing agency.

(c) Thirty percent of the vending machine income from vending machines not in direct competition with blind-operated vending facilities and located where at least 50 percent of the total hours worked on the premises occurs during other than normal working hours (as defined in app A) will be provided the State licensing agency.

(2) The determination of whether a vending machine is in direct competition with the blind-operated vending facility is the responsibility of the onsite official subject to the concurrence of the State licensing agency.

(3) These vending machine income-sharing requirements do not apply to:

(a) Income from vending machines operated by or for the Army and Air Force Exchange Service (AAFES).

(b) Income from vending machines, not in direct competition with a blind-operated vending facility, at any individual location, installation, or facility (as defined in app A) where the total income of machines at such individual location, installation, or facility does not exceed \$3,000 annually.

(4) The payment to State licensing agencies under these income-sharing requirements must be made quarterly on a calendar year basis. The first payment of income, however, will be made no later than April 30, 1978. This first payment, will be for the period March 23, 1977 through the end of calendar year 1977. It will also include amounts collected and set aside during the period January 2, 1975 through March 22, 1977, for distribution to State licensing agencies. Army activities which did not set aside vending machine income for distribution during the period January 2, 1975, through March 22, 1977, will consider taking steps to determine the amounts of such vending machine income which should have been withheld during that period and withhold such amounts from future income for distribution. All subsequent quarterly payments will be made within 60 days after expiration of the applicable calendar quarter.

6. Arbitration.

Whenever any State licensing agency for the blind determines that any activity of the Department of Defense is failing to comply with the provisions of the Act and all informal attempts to resolve the issues have been unsuccessful, the State licensing agency may file a complaint with the Secretary, HEW, who will convene an ad hoc arbitration panel in accordance with the provision of 45 CFR 1369.37.

7. Reports.

a. Installation commanders are responsible for the preparation and submission of monthly status reports (RCS AG-803). Monthly status reports will be prepared on DA Form 4764-R (fig. I-1). Reports will be updated monthly and forwarded to MACOMs for consolidation and forwarding to HQDA (DAAG-TCP-MF) not later than 20 days following the month reported. Further distribution of this report will be made by HQDA as appropriate.

b. At the close of each fiscal year, installation commanders will forward to the MACOMs for consolidation and forwarding to HQDA (DAAG-TCP-MF) within 60 days from the close of the FY a report (format at app J) which will include the total number of applications for vending facility locations received from State licensing agencies; the number approved; the number denied and number still pending; the total amount of vending machine income collected (excluding income exempt from the income sharing requirements (see para 503)(a) and (b) and the amount of such vending machine income disbursed to State licensing agencies in each State. These reporting requirements have been assigned Inter-agency Report Control Number 1270 HEW-AN.

Appendix A

EXPLANATION OF TERMS

For purposes of this regulation the following explanation of terms apply.

Blind Licensee. A blind person licensed by the State licensing agency to operate a vending facility on Federal or other property.

Cafeteria. A food dispensing facility which provides a broad variety of prepared foods and beverages (including hot meals) primarily through the use of a serving line where the customer serves or selects for himself from displayed selections. A cafeteria may be fully automatic, self-service, or have limited waiter or waitress service. Table or booth seating facilities are always provided. Army food dispensing facilities which conduct cafeteria-type operations during part of their normal operating day are not “cafeterias” if they engage primarily in full table-service operations.

Direct Competition. The presence and operation of an Army vending machine or a vending facility on the same premises as a vending facility operated by a blind vendor. Vending machines or vending facilities operated in areas serving employees, the majority of whom normally do not have access (in terms of uninterrupted ease of approach and the amount of time required to patronize the vending facility) to the vending facility operated by a blind vendor, will not be considered to be in direct competition with that vending facility.

Federal Property. Any building, land, or other real property owned, leased, or occupied by any department, agency, or instrumentality of the United States.

Individual Location, Installation, or Facility. A single building or a self-contained group of buildings. A self-contained group of buildings means two or more buildings which are in close proximity to each other, and between which a majority of the Federal employees working in such buildings regularly move from one building to another in the normal course of their official business during a normal working day.

Federal Employees. Civilian appropriated fund and nonappropriated fund employees of the United States.

License. A written instrument issued by a State licensing agency to a blind person, authorizing that person to operate a vending facility on Federal or other property.

Normal Working Hours. An 8-hour period between the hours of 0800 and 1800 hours, Monday through Friday.

Onsite Official. The individual in command of an installation or separate facility or location.

Permit. The official written approval to establish and operate a vending facility requested by and issued to a State licensing agency by the Army.

Satisfactory Site. An area fully accessible to vending facility patrons and having sufficient electrical, plumbing, heating, and ventilation outlets for the location of vending facility in accordance with applicable health and building requirements. Effective March 23, 1977, a “satisfactory site” will have a minimum of 250 square feet available for sale of items and for storage of articles necessary for the operation of vending facility, unless the Secretary of the Army and the State licensing agency agree that a smaller or larger facility is appropriate.

State. The 50 States, District of Columbia, Puerto Rico, American Samoa, Guam, and the Virgin Islands.

State Licensing Agency. The State agency designated by the Department of Health, Education, and Welfare, Commissioner of the Rehabilitation Service Administration, to issue licenses to blind persons for the operation of vending facilities on Federal and other property.

Substantial Alteration or Renovation. A permanent material change in the floor area of a building which would render it appropriate for the location and operation of a vending facility by a blind vendor.

Vending Facility. Automatic vending machines, cafeterias, snack bars, cart service, shelters, and counters, which sell such items as newspapers, periodicals, confections, tobacco products, foods, beverages, and other articles and services to be dispensed automatically or manually and which are prepared on or off the premises in accordance with applicable health laws and further including the vending or exchange of chances for any lottery authorized by State law and

conducted by an agency of a State with such State. "Vending facility" does not include food dispensing facilities (e.g., food operations of Army Clubs) which engage primarily in full table-service operations.

Vending Machine. For the purpose of assigning vending machine income, means a coin or currency operated machine which dispenses articles or services, except that machines providing services of a recreational nature, commonly referred to as amusement machines (e.g., jukeboxes, pinball machines, electronic game machines, pool tables, shuffle boards, etc.) and telephones, are not considered to be vending machines.

Vending Machine Income. Army receipts from Army vending machine operations on Federal property, after deducting all applicable costs incurred (costs of goods, service, maintenance, repair, cleaning, depreciation, supervisory and administrative personnel, normal accounting, accounting for incomes, and so forth) where the machines are operated by any Army activity; or commissions received (less applicable Army costs) by any Army activity from a commercial vending firm which provides vending machines on Federal property for, or with the approval of, any Army activity.

Vendor. A blind licensee who is operating a vending facility on Federal or other property.

Appendix B

STATE LICENCING AGENCIES

Alabama

Director
Vocational Rehabilitation
2129 E. South Boulevard
P.O. Box 11586
Montgomery, AL 36111
(205) 281-8780

Alaska

Director
Office of Vocational Rehabilitation
Pouch F, Mail Station 0581
Juneau, AK 99811
(907) 586-6500

Arizona

Chief
Rehabilitation Services Bureau
Dept. of Economic Security
1535 W. Jefferson, Suite 155
Phoenix, AZ 85007
(602) 271-3332

Arkansas

Commissioner
Dept. of Social & Rehabilitation Services
1801 Rebsamen Park Road
P.O. Box 3781
Little Rock, AR 72203
(501) 371-2571

California

Director
Dept. of Rehabilitation
830 K Street Mall
Sacramento, CA 95814
(916) 445-3971

Colorado

Director Division of Rehabilitation
Dept. of Social Services
1575 Sherman Street
Denver, CO 80203
(303) 892-2652

Connecticut

Director
Board of Education & Services for the Blind
170 Ridge Road
Wethersfield, CT 06109
(203) 249-8525

Delaware

Delaware Bureau for the Visually Impaired
Dept. of Health & Social Services
305 W. Eight Street
Wilmington, DE 19801
(302) 571-3333

District of Columbia

Chief, Bureau of Rehab Services
Social and Rehabilitation Administration
Dept. of Human Resources
122 C Street, N.W. 8th Floor
Washington, DC 20001
(202) 629-5896

Florida

Office of Blind Services
Dept. of Education
2571 Executive Center
Circle East Howard Center
Tallahassee, FL 32301
(904) 488-1330

Georgia

Dept. of Human Resources
Division of Vocational Rehabilitation
47 Trinity Avenue
Atlanta, GA 30334
(404) 656-2621

Guam

Chief
Division of Vocational Rehabilitation
Government of Guam
Board for Control for Vocational Rehabilitation
Dept. of Education
P.O. Box 10-C
Agana, GU 96910
472-8806

Hawaii

Division of Vocational Rehabilitation
Dept. of Social Services & Housing
Room 216, Queen Liliuokalani Bldg.
P.O. Box 339
Honolulu, HI 96809
(808) 548-6367

Idaho

Administrator
Idaho Commission for the Blind
Statehouse
Boise, ID 83720
(208) 384-3220

Illinois

Director
State of Illinois
Board of Vocational Education and Rehabilitation
Div. of Vocational Rehabilitation
623 East Adams Street
Springfield, IL 62706
(217) 782-2093

Indiana

Indiana Rehabilitation Services
1028 Illinois Building
17 W. Market Street
Indianapolis, IN 46204
(317) 633-5687

Iowa

Commission for the Blind
Fourth and Keosauqua
Des Moines, IA 50309
(515) 283-2607

Kansas

Director
Services for the Blind and Visually Handicapped
State Dept. of Social and Rehabilitation Services
Biddle Building
2700 West 6th Street
Topeka, KS 66606
(913) 296-4454

Kentucky

Assistant Superintendent of Public Instruction for Rehabilitation
Bureau of Rehabilitative Services
Capital Plaza Office Tower
Frankfort, KY 40601
(502) 564-4440

Louisiana

Louisiana Health and Human Resources Administration
Division of Family Services
755 Riverside North
P.O. Box 44065
Baton Rouge, LA 70804
(504) 389-5596

Maine

Bureau of Rehabilitation
32 Winthrop Street
Augusta, ME 04330
(207) 289-2266

Maryland

Assistant State Superintendent
Div. of Vocational Rehabilitation
Box 8717, Baltimore-Washington International Airport
Baltimore, MD 21240
(301) 796-8300

Massachusetts

Massachusetts Commission for the Blind
110 Tremont Street
Boston, MA 02108
(617) 727-5580

Michigan

Dept. of Social Services
Office of Services for the Blind
300 S. Capitol Avenue
Lansing, MI 48926
(517) 373-2062

Minnesota

State Services for the Blind and Visually Handicapped
1745 University Avenue - 1st Floor
St. Paul, MN 55104
(612) 296-6034

Mississippi

Vocational Rehabilitation for the Blind
P.O. Box 4872
Jackson, MS 39216
(601) 354-6412

Missouri

Dept. of Social Services
Division of Family Services
Broadway State Office Building
Jefferson City, MO 65101
(314) 751-4249

Montana

Administrator
Visual Services Division
Dept. of Social & Rehabilitation Services
P.O. Box 1723
Helena, MT 59601
(406) 449-3434

Nebraska

Director, Div. of Rehabilitation Services for the Visually Impaired
1047 South Street
Lincoln, Nebraska 68502
(402) 471-2391

Nevada

Bureau of Services for the Blind
State Dept. of Human Resources
308 North Curry Street, Room 200
Carson City, NE 89701
(702) 885-4444

New Hampshire

State Department of Education
Div. of Vocational Rehabilitation
105 Loudon Road, Bldg. No. 3
Concord, NH 03301
(603) 271-3121

New Jersey

Executive Director
Commission for the Blind and Visually Impaired
1100 Raymond Boulevard
Newark, NJ 07102
(201) 648-2324

New Mexico

Assistant Superintendent for Vocational Rehabilitation
Department of Education
231 Washington Avenue
P.O. Box 1830
Santa Fe, NM 87503
(505) 827-2266

New York

State Dept. of Social Services Commission for the Visually Handicapped
10 Eyck Office Building
40 North Pearl Street
Albany, NY 12203
(518) 474-6739

North Carolina

Director
Div. of Services for the Blind
N.C. Dept. of Human Resources
410 N. Boylan Avenue
P.O. Box 2658
Raleigh, NC 27602
(919) 829-4231

North Dakota

Div. of Vocational Rehabilitation
1025 N. 3rd Street, Box 1037
Bismarck, ND 58501
(701) 224-2907

Ohio

Administrator
Rehabilitation Services Commission
4656 Heaton Road
Columbus, OH 43229
(614) 466-7790

Oklahoma

Administrative Assistant
Dept. of Institutions, Rehabilitative Services
Social & Rehabilitative Services
Division of Rehabilitative and Visual Services
P.O. Box 25352
Oklahoma City, OK 73125
(405) 521-3374

Oregon

Administrator
Commission for the Blind
535 S.E. 12th Avenue
Portland, OR 97214
(503) 238-8375

Pennsylvania

Commonwealth of Pennsylvania
Dept. of Public Welfare
Bureau of the Visually Handicapped
Dept. of Public Institutions
Capital Association Bldg., Rm 31
P.O. Box 2675
Harrisburg, PA 17120
(717) 787-6176

Puerto Rico

Assistant Secretary for Vocational Rehabilitation
Dept. of Social Services
P.O. Box 1118
Hato Rey, PR 00919
(809) 723-1792

Rhode Island

Administrator
Vocational Rehabilitation
40 Fountain Street
Providence, RI 02903
(401) 421-7005

South Carolina

Executive Director
Commission for the Blind
P.O. Box 11638, Capitol Station
Columbia, SC 29211
(803) 758-2595

South Dakota

State Director
Dept. of Social Services
Div. of Rehabilitative Services
State Office Building, Illinois
Pierre, SD 57501
(605) 224-3195

Tennessee

Div. of Services for the Blind
Dept. of Human Services
303-304 State Office Building
Nashville, TN 37219
(615) 741-3163

Texas

Executive Director
State Commission for the Blind
800 City National Bank Building
Austin, TX 78711
(512) 474-1901

Utah

Administrator
Div. of Rehabilitation Services
Utah State Board of Education
250 East Fifth South
Salt Lake City, UT 84111
(801) 533-6814

Vermont

Div. for the Blind & Visually Handicapped
Dept. of Social and Rehabilitation Services
81 River Street
Montpelier, VT 05602
(802) 828-2747

Virginia

Virginia Commission for the Visually Handicapped
3003 Parkwood Avenue
Richmond, VA 23221
(804) 786-2181

Virgin Islands

Dept. of Social Welfare
Div. of Vocational Rehabilitation
P.O. Box 539
St. Thomas, VI 00801

Washington

Office of Services for the Blind
Dept. of Social & Health Services
3411 South Alaska Street
Seattle, WA 98118
(206) 464-6690

West Virginia

Div. of Vocational Rehabilitation
P&G Building, Washington Street
Charleston, WV 25305
(304) 345-2375

Wisconsin

Administrator
1 West Wilson Street, Room 720
Madison, WI 53702
(608) 266-1683

Wyoming

Administrator
Div. of Vocational Rehabilitation
Hathaway Building West
Cheyenne, WY 82002
(307) 777-7387

Trust Territory

Office of the High Commissioner
Trust Territory of the Pacific Islands
Saintan, Mariana Islands 96550

American Samoa

Assistant to the Governor of American Samoa
Pago Pago, American Samoa 96799
633-0166

Appendix C
SAMPLE APPLICATION AND PERMIT

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Office of Human Development Services
Rehabilitation Services Administration
Washington, DC

APPLICATION AND PERMIT FOR THE ESTABLISHMENT OF A VENDING FACILITY ON FEDERAL PROPERTY AS AUTHORIZED BY P.L. 74-732, AS AMENDED BY P.L. 83-565 AND TITLE II OF P.L. 93-516 (RANDOLPH-SHEPPARD ACT)

The _____ (designated State Licensing Agency) of the State of _____ requests approval of _____ (Federal Property Agency) to place a vending facility on the property located _____

SATISFACTORY SITE: It has been determined that this location meets the criteria of a satisfactory site as defined in 45 CFR § 1369.1(q). Any exceptions are documented in Attachment A.

TYPE, LOCATION AND SIZE OF FACILITY: Type of facility (defined in Instructions for Form OHD-PSA-15): _____; Facility location _____; Facility size _____ (floor plan, Attachment B). The types of articles to be sold and services to be offered are enumerated in Attachment C. The fixtures and equipment for this facility, including the responsibility for the provision thereof, are set forth in Attachment D. The location, type and number of vending machines which constitute all or a part of this facility are noted in Attachment E. The facility will operate ____ days of the week from ____ A.M. to ____ P.M. commencing on _____.

Approving Property Official

Approving Licensing Agency Official

Title

Date

Title

Date

Figure C-1.

OTHER TERMS AND CONDITIONS

1. No charge will be made by the DOD Component to the State licensing agency for normal repair and maintenance of the building, for cleaning areas adjacent to the designated vending facility boundaries, or for trash removal from a designated collection point.

2. The State licensing agency will be responsible for cleaning and maintaining the appearance of and for the security of the vending facility within the designated boundaries of such facility and for all costs of every kind in conjunction with vending facility equipment, merchandise and other products to be sold except as provided in 5 below. Neither party will be responsible for loss or damage to the other's property unless proximately caused by its acts or omissions. The State licensing agency will also be responsible for the acts or omissions of the blind vendor, his employees or agents.

3. Vending facilities will be operated in compliance with applicable health, sanitation and building codes, ordinances, and regulations.

4. Installation, modification, relocation, removal, and renovation of vending facilities will be subject to the prior approval of the on-site official and the State licensing agency. Costs of installation, modification, relocation, removal or renovation will be paid by the initiating party. In any case of suspension or termination of a permit to operate a vending facility on the basis of noncompliance by either party, the costs of removal from the building will be borne by the noncomplying party.

5. The DOD Component will provide utility support and bill the State licensing agency. The State licensing agency will cause payment to be made no later than 30 days after receipt of the bill.

6. This permit is issued for an indefinite period of time, subject to suspension/termination as follows:

a. Suspension/termination upon failure to comply with agreed-upon terms after notice to the other party and failure to cure noncomplying performance, or

b. Sixty days written notice in the event of inactivation of the installation or activity or loss of use of the building housing the vending facility, or inability of the State licensing agency to continue to operate the vending facility.

Figure C-2. OTHER TERMS AND CONDITIONS

Appendix D
SAMPLE COMPUTATION

<i>Normal Work Hours Workday</i>	<i>0700-1800 Actual number of scheduled employees for each workday*</i>
Tuesday	90
Wednesday	85
Thursday	89
Friday	95
Saturday	122
Sunday	130
Closed Mondays	
Tuesday	90
Wednesday	85
Thursday	89
Friday	95
Saturday	122
Sunday	130
Total Employees Scheduled for Payroll Period	1,222
Number of Workdays in Payroll Period	12
Average Number of Employees per Workday	101.8

*Include regular and temporary full-time, regular and temporary part-time and off-duty military personnel regardless of the number of hours scheduled.

Figure D-1.

Appendix E

REGIONAL OFFICE DIRECTORY

Directors, Offices Of Rehabilitation Services

Region I

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont
Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
John F. Kennedy Federal Building Government Center
Boston, MA 02203
FTS: 8-223-6820 Commercial: 617-223-6820

Region II

New Jersey, New York, Puerto Rico, and Virgin Islands
Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
26 Federal Plaza, Room 4106
New York, NY 10007
FTS: 8-264-4016 Commercial: 212-264-4016

Region III

Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and Washington, DC
Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
3535 Market Street
P.O. Box 13716
Philadelphia, PA 19101
FTS: 8-596-1327 Commercial: 215-596-1327

Region IV

Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee
Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
50 7th Street,
N.E.-Room 358
Atlanta, GA 30323
FTS: 8-257-4221 Commercial: 404-881-4221

Region V

Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin
Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
300 South Wacker Drive - 15th Floor
Chicago, Illinois 60606
FTS: 8-353-8363 Commercial: 312-353-8363

Region VI

Arkansas, Louisiana, New Mexico, Oklahoma, and Texas
Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
Fidelity Union Life Building, Room 340
1511 Bryan Street
Dallas, TX 75201
FTS: 8-749-2445 Commercial: 214-749-2445

Region VII

Iowa, Kansas, Missouri, and Nebraska
Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
601 East 12th Street
Kansas City, MO 64106
FTS: 8-758-2381 Commercial: 816-374-2381

Region VIII

Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming
Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
Federal Office Building, Room 7415
19th and Stout Streets
Denver, CO 80202
FTS: 8-327-2135 Commercial: 303-837-2135

Region IX

Arizona, California, Hawaii, Nevada, Guam, Trust Territory of Pacific Island, and American Samoa
Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
Federal Office Building
50 United Nations Plaza
San Francisco, CA 94102
FTS: 8-556-7333 Commercial: 415-556-7333

Region X

Alaska, Idaho, Oregon, and Washington
Acting Director, Office of Rehabilitation Services
Dept. of Health, Education and Welfare
Arcade Building-1321 Second Avenue (MS 622)
Seattle, WA 98101
FTS: 8-399-5331 Commercial: 206-442-5331

Appendix F
SAMPLE LETTER (STATE LICENSING AGENCY)

SUBJECT: Randolph-Sheppard Act Amendments
(State Licensing Agency)

1. In accordance with the Randolph-Sheppard Act as amended, inclosed please find a line drawing of a building (to be constructed) (designated for substantial alteration or renovation) (to be acquired) at _____. Provision has been made for a general purpose satisfactory site for a blind-operated vending facility, which is identified on the drawing. The location proposed is considered to be most conveniently accessible to the majority of the _____ Federal employees projected to work in the facility. If you determine that this number is sufficient to support a vending facility, please advise indicating your concurrence in the suggested site or your counterproposal, and a description of the type of vending facility to be operated. Should you determine you are not prepared to establish such a facility in this building for operation by a blind licensee, or if it is not your intention to establish a vending facility at this time, please so advise.

2. In the event that you do not respond within 30 days of receipt of this letter, or do not provide an explanation for your decision not to establish a vending facility, I will assume that you have determined that the number of employees using this building is or will be insufficient to support such a facility.

1 Inclosure
As stated

**(Signature block of
on-site official)**

Copies furnished:
HEW Region _____
HQDA (DAAG-TCP-MF)
HQ AAFES-EN-A (without inclosure)

Figure F-1.

Appendix G
SAMPLE LETTER (REGIONAL OFFICE, HEW)

SUBJECT: Randolph-Sheppard Act Amendments

THRU: (HQDA(DAAG-TCP-MF), WASH DC 20314)

TO: (Regional Office, Department of Health, Education, and Welfare)

1. Reference is made to my letter of _____, above subject, forwarding to the (State licensing agency) a line drawing of a building (to be acquired) (to be constructed) (designated for substantial renovation or alteration) at _____. The drawing incorporated a proposed site for a blind-operated vending facility. A copy of this correspondence was furnished concurrently to your office.

2. I conclude from the State licensing agency's (failure to respond to referenced letter) (declination, without further explanation, to establish and operate a vending facility) that the agency has determined that the number of employees using the building is or will be insufficient to support a vending facility. Accordingly, and unless otherwise directed by the Secretary, Health, Education, and Welfare, a satisfactory site for a blind-operated vending facility will not be incorporated in the final plans.

(Signature block of preparer)

Figure G-1.

Appendix H
SAMPLE LETTER (REGIONAL OFFICE, HEW)

SUBJECT: Randolph-Sheppard Act Amendments

THRU: (HQDA(DAAG-TCP-MF), WASH DC 20314)

TO: (Regional Office, Department of Health, Education and Welfare)

1. Reference is made to my letter of _____, above subject, forwarding the (State licensing agency) a line drawing of a building (to be constructed) (designated for substantial alteration or renovation) (to be acquired) at _____. The drawing incorporated a proposed list for a blind-operated vending facility. A copy of this correspondence was furnished concurrently to your office.

2. I have been notified by the state licensing agency that it does not desire a site for a blind-operated vending stand to be provided, as per their attached explanation. Accordingly, and unless otherwise directed by the Secretary, Health, Education, and Welfare, a satisfactory site for a blind-operated vending facility will not be incorporated in the final plans.

1 Inclosure
As stated

(Signature block
of preparer)

Figure H-1.

Appendix I

STATUS REPORT (MONTHLY) RANDOLPH-SHEPPARD ACT (DA FORM 4764-R)

DA Form 4764-R, figure I-1, will be reproduced locally on 8 1/2 by 14-inch paper, head to right side. Locate figure I-1 at the end of the regular size pages and insert following this page.

Appendix J
RANDOLPH-SHEPPARD ACT ANNUAL REPORT (RCS: 1270 HEW-AN)

1. Name of Installation:
2. Number of Applications for Vending Facility Locations:
3. Number of Applications Approved:
4. Number of Applications Denied:
5. Number of Applications Pending:
6. Total Amount of Vending Machine Income Collected:
7. Total Amount Disbursed to State Licensing Agencies:

STATUS REPORT RANDOLPH - SHEPARD ACT	REPORTING MONTH	PAGE OF PAGES
For use of this form, see AF 210-25; proponent agency is TAGCEN.	REQUIREMENT CONTROL SYMBOL AG-803	
FROM	PERSON TO CONTACT FOR ADDITIONAL INFORMATION	
	AUTOVON NO.	

[illegible]

DA FORM 4784-R, 1 Jan 79

☐ See reverse for comments

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